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Attorneys for Defendants Rimini Street, Inc. and Seth Ravin

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation,
and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**DEFENDANTS RIMINI STREET, INC.'S
AND SETH RAVIN'S MOTION FOR
LEAVE TO FILE NOTICE OF
SUPPLEMENTAL AUTHORITY
REGARDING ORACLE'S MOTION FOR
ATTORNEYS' FEES AND COSTS (DKT.
NO. 917)**

Judge: Hon. Larry R. Hicks

NOTICE OF MOTION AND MOTION

Defendants Rimini Street, Inc. and Seth Ravin (together, “Rimini”) hereby move pursuant to Local Rule 7-2(g) for leave to file the attached Notice of Supplemental Authority Regarding Oracle’s Motion for Attorneys’ Fees and Costs (**Exhibit A**). This Motion is based on this Notice of Motion, the Memorandum of Points and Authorities incorporated herein; the attached Exhibits 1 and 2; the entire record in this action; and such other matters and argument as may be presented to the Court.

MEMORANDUM OF POINTS AND AUTHORITIES

The Supreme Court decided *Kirtsaeng v. John Wiley & Sons, Inc.*, Case No. 15-375, on June 16, 2016 (**Exhibit B**). As explained in Rimini’s proposed Notice of Supplemental Authority, this decision clarified the standard for determining whether attorneys’ fees should be awarded at all under section 505 of the Copyright Act. Accordingly, *Kirtsaeng* will inform this Court’s decision on whether to grant Oracle’s pending Motion for Attorneys’ Fees and Costs. Dkt. 922.

Rimini’s proposed Notice of Supplemental Authority complies with the guidelines set forth in *F.D.I.C. v. Johnson*, 2014 WL 5324057, at *2 (D. Nev. Oct. 17, 2014) (“Such notice will include the relevant citation, with the full text of the opinion appended. The body of the notice will be no longer than three pages, explaining briefly how it relates to the pleadings or motions currently before the Court.”).

DATED: June 21, 2016

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Blaine H. Evanson
Blaine H. Evanson

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2016, I caused to be electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

By: /s/ Blaine H. Evanson
Blaine H. Evanson

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